

Exhibit A

Re: Step 1 – “Location History” (“LH”) Setting

Google states that “the user must opt into LH in her account settings” See ECF No. 96-1 at 3; ECF No. 59-1 at 7.

1. Produce all records indicating when and/or how Mr. Chatrie opted into the “Location History” setting.
  - If records exist:
    - Identify the date and method through which Mr. Chatrie opted into this setting.
    - Provide all written documentation concerning the opt-in process for this setting as well as screenshots or a video of the opt-in process as Mr. Chatrie would have experienced it on his device at the time.
      - For any screen that includes a button or hyperlink providing additional information (e.g., “Learn More” “More Information” “More,” etc.), provide screenshots or a video of that information as Mr. Chatrie would have experienced it on his device at the time.
  - If such records do not exist:
    - Provide all written documentation concerning the opt-in process for this setting as well as screenshots or a video of ALL of the possible ways in which a user could have opted into this setting using a Samsung S9+ SM-G965U, running Android OS 8.0, revision number G965USQS3BRK3.
      - For any screen that includes a button or hyperlink providing additional information (e.g., “Learn More” “More Information” “More,” etc.), provide screenshots or a video of that information as a user would have experienced it on this device.
    - Provide all written documentation concerning the opt-in process for this setting as well as screenshots or a video of the way or ways in which a user could have opted into this setting using Google’s website interface , from August 20, 2017, to June 14, 2019.
      - For any screen that includes a button or hyperlink providing additional information (e.g., “Learn More” “More Information” “More,” etc.), provide screenshots or a video of that information as a web user would have experienced it.
2. Produce all records indicating how Mr. Chatrie initially created his Google account.
  - This request includes any Google records demonstrating the platform he used when created his Google account on August 20, 2017—whether via cellular telephone, internet browser on a laptop or desktop computer, or other means.
    - If Google records demonstrate that Mr. Chatrie used an internet browser on a laptop or desktop computer, Google shall produce any records explaining whether and how a Google user would enable location history retention using said platform

3. Produce all records indicating when and or how Google advised Mr. Chatrie and other Google users that location history information was being stored between August 20, 2017 and May 20, 2019.
  - This request includes: all records indicating whether and how Google notifies a Google user, after the user opts in to location history information, that her location history information is being stored between August 20, 2017 and May 20, 2019, such as any records demonstrating whether Google sent reminders and or notification to Google users regarding location services, location history information, and location settings between August 20, 2017 and May 20, 2019.

Google states that Google users can access their stored location history information through a “Timeline” feature of the Google Maps app and that, for most Google users, that Timeline is where this location history information is captured. *See* ECF No. 96-1 at 3; ECF No. 59-1 at 14.

4. Produce all records indicating when and or how Google advised Mr. Chatrie and other Google users that location history information was being stored between August 20, 2017 and May 20, 2019.
  - This request includes: all records indicating whether and how Google notifies a Google user, after the user opts in to location history information, that her location history information is being stored between August 20, 2017 and May 20, 2019, such as any records demonstrating whether Google sent reminders and or notification to Google users regarding location services, location history information, and location settings between August 20, 2017 and May 20, 2019.

*Re: Step 2 – “Location Reporting” Setting*

Google states that the user must also “enable ‘Location Reporting’—a subsetting within LH—for each particular device on which she wants to use LH.” *See* ECF 96-1 at 3; ECF No. 59-1 at 7-8.

5. Produce all records indicating when and/or how Mr. Chatrie opted into the “Location Reporting” setting.
  - If records exist:
    - Identify the date and method through which Mr. Chatrie opted into this setting.
    - Provide all written documentation concerning the opt-in process for this setting as well as screenshots or a video of the opt-in process as Mr. Chatrie would have experienced it on his device at the time.
      - For any screen that includes a button or hyperlink providing additional information (e.g., “Learn More” “More Information” “More,” etc.), provide screenshots or a video of that information as Mr. Chatrie would have experienced it on his device at the time.
  - If such records do not exist:
    - Provide all written documentation concerning the opt-in process for this setting as well as screenshots or a video of ALL of the possible ways in which a user could have opted into this setting using a Samsung S9+ SM-G965U, running Android OS 8.0, revision number G965USQS3BRK3.

- For any screen that includes a button or hyperlink providing additional information (e.g., “Learn More” “More Information” “More,” etc.), provide screenshots or a video of that information as a user would have experienced it on this device.
- Provide all written documentation concerning the opt-in process for this setting as well as screenshots or a video of the way or ways in which a user could have opted into this setting using Google’s website interface from August 20, 2017, to June 14, 2019.
  - For any screen that includes a button or hyperlink providing additional information (e.g., “Learn More” “More Information” “More,” etc.), provide screenshots or a video of that information as a web user would have experienced it.

Re: Step 3 – “Device-Location” Setting

Google states that “the user must ensure that the device-location setting on her mobile device is turned on.” See ECF No. 96-1 at 2; ECF No. 59-1 at 7.

6. Produce all records indicating when and/or how Mr. Chatrie opted-into the “device- location” setting.
  - If records exist:
    - Identify the date and method through which Mr. Chatrie opted-in to this setting.
    - Provide all written documentation concerning the opt-in process for this setting as well as screenshots or a video of the opt-in process as Mr. Chatrie would have experienced it on his device at the time.
      - For any screen that includes a button or hyperlink providing additional information (e.g., “Learn More” “More Information” “More,” etc.), provide screenshots or a video of that information as Mr. Chatrie would have experienced it on his device at the time.
  - If such records do not exist:
    - Provide all written documentation concerning the opt-in process for this setting as well as screenshots or a video of ALL of the possible ways in which a user could have opted into this setting using a Samsung S9+ SM-G965U, running Android OS 8.0, revision number G965USQS3BRK3.
      - For any screen that includes a button or hyperlink providing additional information (e.g., “Learn More” “More Information” “More,” etc.), provide screenshots or a video of that information as a user would have experienced it on this device.

Re: Step 4 – Permit Location Sharing with Google

Google states that “the user must configure her mobile device to share location information with applications capable of using that information. Not all mobile applications can use location information, and those that can, such as Google Maps, will do so only if the user configures her device to allow the app to use the mobile device’s location information.” See ECF No. 59-1 at 7.

7. Produce all records indicating when Mr. Chatrie configured a device to share location information with Google applications.
  - If records exist:
    - Identify the date and method/application through which Mr. Chatrie first opted-in to sharing this information.
    - Provide all written documentation concerning the opt-in process for this setting as well as screenshots or a video of the opt-in process as Mr.

Chatrie would have experienced it on his device at the time.

- For any screen that includes a button or hyperlink providing additional information (e.g., “Learn More” “More Information” “More,” etc.), provide screenshots or a video of that information as Mr. Chatrie would have experienced it on his device at the time.
- If such records do not exist, state which mobile applications were capable of using location on a Samsung S9+ SM-G965U, running Android OS 8.0, revision number G965USQS3BRK3.
  - Provide all written documentation concerning the opt-in process for all of these mobile applications as well as screenshots or a video of ALL of the possible ways in which a user could have configured this device to share location information with these applications.
    - For any screen that includes a button or hyperlink providing additional information (e.g., “Learn More” “More Information” “More,” etc.), provide screenshots or a video of that information as a user would have experienced it on this device.

Re: “Signing into Google Account”

Google states that “LH functions and saves a record of the user’s travels only when, the user opts into LH as a setting on her Google account, enables the “Location Reporting” feature for at least one mobile device, enables the device-location setting on that mobile device (and for iOS devices provides the required device-level application location permission), powers on and signs into her Google account on that device, and then travels with it.” See ECF No. 96-1 at 4; ECF No. 59-1 at 13.

8. Produce all records concerning how this final step, signing into the Google account, occurred between August 20, 2017 through May 20, 2019.
  - This request includes all records indicating when and or how a Google user, including the defendant, signs into their Google account using the various platforms for doing so, namely cellular telephone, internet browser on a laptop or desktop computer, or other means, as well as any sign-in screens the Google user will encounter.

Default Settings

9. Produce all documentation indicating the defaults for the “Location History,” “Location Reporting,” and “Device-Location” settings at the initial setup of a Samsung S9+ SM- G965U, running Android OS 8.0, revision number G965USQS3BRK3.

Version History

10. Produce all documentation indicating whether Google made changes to the opt-in processes for the settings identified in Steps 1-4 at any point during the time Android OS 8.0 was supported by Google.